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MEMORANDUM FOR THE RECORD

SUBJECT: House Judiciary Subcommittee on Immigration, Citizenship and International Law Hearings on Alleged Nazi War Criminals, 19-20 July 1978

1. I attended Subject open hearings in Room 2237 Rayburn House Office Building which commenced at 9:30 a.m., Wednesday, 19 July. GAO's principal witnesses were Victor L. Lowe, Director, General Government Division, accompanied by Daniel F. Stanton, Associate Director, General Government Division; John Tipton, Senior Investigator, General Government Division; and Robert Crystal, Office of General Counsel. The following Subcommittee Members were present: Chairman Joshua Eilberg (D., Pa.) and Representatives Herbert E. Harris, II (D., Va.), Sam B. Hall, Jr. (D., Texas), and Elizabeth Holtzman (D., N.Y.).

2. Chairman Eilberg made some introductory comments and then advised all the witnesses that the names of the alleged Nazi war criminals could not be specifically mentioned in light of prejudicing ongoing litigation and in conformance with H. R. 21. Mr. Lowe read his four page prepared statement into the record (copy attached).

3. Ms. Holtzman questioned GAO on why 17 of the pre-1973 cases which totaled 57 were not delved into in detail by GAO, especially those four which were in litigation. She then questioned the overall validity of GAO's conclusion that there had not been a conspiracy, especially since GAO did not have direct access to certain Agency files. Ms. Holtzman pressed this issue and GAO finally conceded and will conduct further research and will prepare a report for Ms. Holtzman on these 17 cases. Throughout the hearing Chairman Eilberg had the following comments to make about the GAO report. He called it a "relatively poor product." He claimed it was ambiguous, it lacked clarity, and that in terms of the time and money spent there was very, very little to show for it. In an attempt to counter these remarks, Lowe replied that although the investigation had taken 14 months, it was not until after the August 1977 Subcommittee hearings that GAO got any cooperation and were allowed to review records and summaries of the involved agencies. Lowe then implied that GAO lacked subpoena power and